



2025:DHC:2680



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 16.04.2025

+ CRL.M.C. 8626/2024
SULEMAN & ORS.

.....Petitioners

Through: Mr. Rajkumar and Mr.
Faimuddin, Advocates.

Petitioners in person.

versus

THE STATE & ANR.

... Respondents

Through: Ms. Priyanka Dalal, APP with
ASI Harshay, PS-Jafrabad.
R-2 in person.**CORAM:-****HON'BLE MR. JUSTICE RAVINDER DUDEJA****JUDGMENT (ORAL)****RAVINDER DUDEJA, J.**

1. This is a petition under Section 528 of the Bhartiya Nagrik Suraksha Sanhita, 2023 seeking quashing of FIR No. 0323/2018, dated 08.05.2018, registered at P.S Jafrabad under sections 498A/354/406/34 IPC and section 4 of the Dowry prohibition Act, 1961 and all proceedings emanating therefrom on the basis of settlement between the parties.

2. The marriage between Petitioner No.1 and Respondent No.2 was solemnized on 08.04.2010 as per Muslim rites and ceremonies under Shariyat law. Three children namely Ikra (aged 11 years), Mantasha (aged 09 years) and Bilal (aged 07 years) were born out of



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the said wedlock. It is submitted that due to temperamental differences, the couple started living separately from 2017. Thereafter, the Respondent No.2 filed a complaint which culminated into the aforesaid FIR against Petitioner No. 1 and his family members.

3. During the pendency of the proceedings, the parties were referred to mediation by the Court of Ld. MM, Mahila Court-03, Karkardooma Courts, Delhi whereby they amicably resolved their disputes and executed a Settlement Agreement dated 18.04.2024. In pursuance of the Settlement, the parties have already parted ways by taking divorce as per Muslim Law thereby dissolving the marriage between the Petitioner No.1 and Respondent No.2. The final instalment of Rs. 75,000/- bearing DD No. 513333 drawn on Central Bank of India, Delhi is paid by the Petitioner No.1 to the Respondent No.2 in court today. It is submitted that all conditions of the Settlement Agreement have been fulfilled including the payment of the total settlement amount of Rs. 2,75,000/- as per the schedule mentioned in the Settlement Agreement. The copy of Settlement Agreement dated 18.04.2024 has been placed on record as Annexure P-2.

4. The petitioners and respondent no.2 are physically present before the Court. They have been identified by their respective counsels as well as by the Investigating Officer ASI Harshay from PS Jafrabad.



5. Respondent No.2 submits that the matter has been settled with the petitioners without any force, fear, coercion and she has received the payment of the entire settlement amount of Rs. 2,75,000/- from Petitioner No.1 as mentioned in the Settlement Agreement dated 18.04.2024. She also acknowledges the receipt of the final instalment of Rs. 75,000/- bearing DD No. 513333 drawn on Central Bank of India, Delhi paid to her by the Petitioner No.1 in court today. She further submits that she has no objection if the FIR No. 0323/2018 is quashed against the petitioners.

6. In view of the settlement between the parties, learned Additional PP appearing for the State, also has no objection if the present FIR No. 0323/2018 is quashed.

7. In *Gian Singh vs State of Punjab (2012) 10 SCC 303*, Hon'ble Supreme Court has recognized the need of amicable resolution of disputes by observing as under:-

"61. In other words, the High Court must consider whether it would be unfair or contrary to the interest of justice to continue with the criminal proceedings or continuation of criminal proceedings would tantamount to abuse of process of law despite settlement and compromise between the victim and the wrongdoer and whether to secure the ends of justice, it is appropriate that criminal case is put to an end and if the answer to the above question(s) is in the affirmative, the High Court shall be well within its jurisdiction to quash the criminal proceedings."

8. In view of the aforesaid circumstances and the fact that parties have put a quietus to the dispute, no useful purpose will be served in



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continuing with the present FIR No. 0323/2018, dated 08.05.2018, registered at P.S Jafrabad under sections 498A/354/406/34 IPC and section 4 of the Dowry prohibition Act, 1961 and all the other consequential proceeding emanating therefrom.

9. In the interest of justice, the petition is allowed, and the FIR No. 0323/2018, dated 08.05.2018, registered at P.S Jafrabad under sections 498A/354/406/34 IPC and section 4 of the Dowry prohibition Act, 1961 and all the other consequential proceeding emanating therefrom is hereby quashed.

10. Petition is allowed and disposed of accordingly.

11. Pending application(s), if any, also stand disposed of.

RAVINDER DUDEJA, J

APRIL 16, 2025/ak